



Docket No. 56822 RCE (47126)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: G. Cevc, et al.

CONFIRMATION NO.: 5210

U.S.S.N.: 10/037,480

EXAMINER: Fortuna, A. M.

FILED: January 4, 2002

GROUP: 1723

FOR: METHOD FOR THE IMPROVEMENT OF TRANSPORT ACROSS  
ADAPTABLE SEMI-PERMEABLE BARRIERS

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date **July 21, 2004** in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EV438994015US** addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By Susan M Dillon  
Susan Dillon

MAIL STOP RCE  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION**

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. X Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. \_\_\_\_\_ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_. The following references were submitted to, and/or cited by, the Office in the prior application (s) and, therefore, are not required to be provided in this application.

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. \_\_\_\_\_ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. \_\_\_\_\_ The following additional information is provided for the Examiner's consideration:

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)  
(check one box)

- a. X within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. \_\_\_\_\_ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. \_\_\_\_\_ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office

Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):  
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. \_\_\_\_\_ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. §1.17(p).  
or  
b. \_\_\_\_\_ See the certification below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. \_\_\_\_\_ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or  
b. \_\_\_\_\_ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

c. \_\_\_\_\_ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

\_\_\_\_\_ Please charge Deposit Account No. 04-1105 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

X No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 04-1105.

Respectfully submitted,

Date: July 21, 2004



Stephana E. Patton (Reg. No. 50,373)  
Attorney for Applicant(s)  
EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, MA 02205  
Customer No: 21874  
Tel: (617) 439-4444



<b>FORM PTO-1449</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>	<b>DOCKET NO:</b> 56822-RCE (47126)	<b>SERIAL NO.:</b> 10/037,480
	<b>APPLICANT(S):</b> G. Cevc, et al.	
	<b>FILING DATE:</b> January 4, 2002	<b>GROUP NO.:</b> 1723

**UNITED STATES PATENT DOCUMENTS**

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,145,684	09/08/92	Liversidge, et al.	424	489	
	AB	5,154,930	10/13/92	Popescu, et al.	424	489	
	AC	5,552,160	09/03/96	Liversidge, et al.	424	489	
	AD	5,654,337	08/05/97	Roentsch, et al.	514	570	
	AE	5,874,422	02/23/99	Krause, et al.	514	165	
	AF	5,985,860	11/16/99	Toppo	514	159	
	AG	6,045,827	04/04/00	Russell	424	485	
	AH	6,214,386	04/10/01	Santus, et al.	424	498	
	AI	6,387,383	05/14/02	Dow, et al.	424	401	
	AJ	6,451,339	09/17/02	Patel, et al.	424	451	
	AK	2002/0003179	01/10/02	Verhoff, et al.	241	21	
	AL	2002/0037877	03/28/02	Singh	514	78	
	AM	2002/0147238	10/10/02	Jerussi et al.	514	570	
	AN	2002/0119188	08/29/02	Niemiec et al.	424	450	
	AO	2002/0106345	08/08/02	Uhrich et al.	424	78/17	
	AP	2002/0037877	03/28/02	Singh	514	78	
	AQ	2002/0012680	01/31/02	Patel et al.	424	400	
	AR	2002/0003179	01/10/02	Verhoff et al.	241	21	
	AS	2001/0012849	08/09/01	Wechter	514	330	
	AT	6,448,296	09/10/02	Yasueda	514	781	
	AU	6,294,192	09/25/01	Patel et al.	424	451	
	AV	6,165,500	12/26/00	Cevc	424	450	

Examiner: \_\_\_\_\_

Date: \_\_\_\_\_







<b>FORM PTO-1449</b>		<b>DOCKET NO:</b> 56822-RCE (47126)	<b>SERIAL NO.:</b> 10/037,480
<b>INFORMATION DISCLOSURE STATEMENT</b>		<b>APPLICANT(S):</b> G. Cevc, et al.	
		<b>FILING DATE:</b> January 4, 2002	<b>GROUP NO.:</b> 1723
<b>OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)</b>			
	BX	L. Löbbecke, et al. "Effects Of Short-Chain Alcohols On The Phase Behavior And Interdigitation Of Phosphatidylcholine Bilayer Membranes", <i>Biochimica et Biophysica Acta</i> 1237 (1995) 59-69	
	BY	R. Singh, et al. "Liposomally Encapsulated Diclofenac For Sonophoresis Induced Systemic Delivery", <i>J. Microencapsulation</i> , 1995, Vol. 12, No. 2, 149-154.	
	BZ	A. Calpena, et al., "Influence of the Formulation on the In Vitro Transdermal Penetration of Sodium Diclofenac", <i>Arzneim.-Forsch./Drug Res.</i> 49 (II), 1012-1017 (1999).	
	CA	I. Stoye, et al., "Transformation of a Liposomal Dispersion Containing Ibuprofen Lysinate and Phospholipids into Mixed Micelles – Physico-chemical Characterization and Influence on Drug Permeation through Excised Human Stratum Corneum," <i>European Journal of Pharmaceutics and Biopharmaceutics</i> 46 (1998) 191-200.	
	CB	T. Henmi, et al., "Application of an Oily Gel Formed by Hydrogenated Soybean Phospholipids as a Percutaneous Absorption-Type Ointment Base", <i>Chem. Pharm. Bull.</i> 42(3) 651-655 (1994).	
	CC	J. Schramlova, et al., "The Effect of an Antiphlogistic Incorporated in Liposomes on Experimentally Induced Inflammation", <i>Folia Biologica (Praha)</i> 43, 195-199 (1997).	
	CD	M. Foldvari, et al., "Dermal Drug Delivery by Liposome Encapsulation: Clinical and Electron Microscopic Studies", <i>J. Microencapsulation</i> , 1990, Vol. 7, No. 4, 479-489.	
	CE	M. Foldvari, "In Vitro cutaneous and Percutaneous Delivery and in Vivo Efficacy of Tetracaine from Liposomal and Conventional Vehicles", <i>Pharmaceutical Research</i> , Vol. 11 No. 11, 1994.	
	CF	M. Foldvari, "Effect of Vehicle on Topical Liposomal Drug Delivery: Petrolatum Bases", <i>J. Microencapsulation</i> , 1996, Vol. 13, No. 5, 589-600.	
	CG	M.E. Planas, et al., "Noninvasive Percutaneous Induction of Topical Analgesia by a New Type of Drug Carrier, and Prolongation of Local Pain Insensitivity by Anesthetic Liposomes", <i>Anesth Analg</i> 1992; 75 615-621.	
	CH	H. Peters, et al., "Pharmacodynamics of a Liposomal Preparation for Local Anaesthesia", <i>Arzneim.-Forsch./Drug Res.</i> 45 (II), Nr 12 (1995).	
	CI	G. Cevc, "Drug Delivery Across the Skin", <i>Exp. Opin. Invest. Drugs</i> (1997) 6(12) 1887-1937.	
	CJ	A. Klibanov et al., <i>Biochimica et Biophysica Acta.</i> , 1062:142-148 (1991).	
	CK	G. Cevc et al., <i>Journal of Controlled Release</i> , 36:3-16 (1995).	
	CL	S. Yuan et al., <i>Progress in Physiological Science</i> , 28(2):163-165 (1997).	
	CM	G. Cevc et al., <i>Critical Review in Therapeutic Drug Carrier Systems</i> , 13(3&4):257-388 (1996).	

Examiner: \_\_\_\_\_

Date: \_\_\_\_\_